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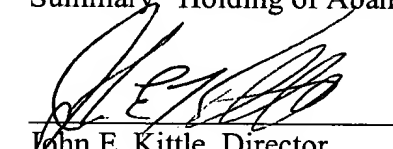
In re Application of	:	DECISION ON PETITION
Roger J. Talish et al	:	TO WITHDRAW
Serial No. : 09/807,906	:	HOLDING OF
Filed : July 9, 2001	:	ABANDONMENT
For : Prosthesis and Methods of Inducing Bony Ingrowth	:	
Using Ultrasound Therapy	:	

This is a decision on petitioner's request filed July 28, 2003, to review the holding of abandonment mailed July 7, 2003, for failure to respond to the Office action (a restriction requirement) mailed September 30, 2002. As this petition was filed pursuant to 37 CFR 1.181, no petition fee is required.

In support of the request, petitioner has submitted a copy of a response to the restriction requirement and a copy of a PTO stamped receipt dated October 29, 2002 as evidence of the filing of a response within the one-month period for response set in the Office action.

In view of the above, the Notice of Abandonment mailed July 7, 2003 is in error and is hereby vacated. The holding of abandonment is withdrawn. Upon the mailing of this decision, the application will be forwarded to the Examiner via the Legal Instruments Examiner for entry and consideration of the response filed October 29, 2002.

Summary: Holding of Abandonment Withdrawn.

  
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ak/12/21/04